

# BAKER CASE STIRS HOW LEAK

## Republicans Again Ask Inquiry On Memo About Reynolds

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Washington, Feb. 13 — From both the Senate and the House today came further demands for information on what Representative Gross (R., Iowa) termed "an outrageous effort to discredit and intimidate an important witness in the investigation of Robert C. Baker," former secretary to the Senate majority.

Senator Scott (R., Pa.) also called for inquiry to the Defense Department and the FBI.

The witness referred to is Don B. Reynolds, a former major in the Air Force, now an insurance salesman who in 1957 sold a large life insurance policy to President Johnson when he was majority leader in the Senate.

### Hi-Fi Set Is Gift

Last month Reynolds testified that at about the time he sold the policy he presented an expensive hi-fi set to Mr. Johnson and also bought time on the Johnson family's radio station in Austin, Texas.

Reynolds is a former associate of Baker, whose very tangled affairs are under inquiry by the Senate Rules Committee.

Not long after the Reynolds testimony, certain newspapers were furnished derogatory information purporting to be based on Reynolds' personal military record, presumably obtained from Air Force files which are not accessible to the public.

### Authority Questioned

This episode immediately provoked inquiries as to how such information became public property and by whose authority.

Suggestive information on this point came today in the Army, Navy, Air Force Journal Register, lately a sharp critic of practices at the Pentagon, in an article by its assistant editor, Daniel S. Henkin. It charged that Defense Department personnel's breach of its own rules is "undermining the security of confidential military personnel records."

The article reports that two days after Reynolds's testimony, a memorandum to Eugene M. Zuckert, Secretary of the Air Force, purportedly from his assistant, Benjamin W. Fridge, stated that:

"I feel you should be aware of some of the circumstances surrounding the military service of former Major Don B. Reynolds, who testified before the Senate Rules Committee in the Bobby Baker case the day before yesterday."

### Record "Confidential"

The memorandum then presented information that presumably came from the Air Force's "confidential" record of its personnel.

Reynolds had left the Air Force active service more than ten years before, but the personnel record remains on file there — presumably covered by a Defense Department directive

of long standing that lists items, other than classified, that are to be protected from outside inspection, including "records and information which pertain to individuals, such as personal records, medical records and investigative reports."

The memorandum to Zuckert later came to public attention through Drew Pearson, a newspaper columnist, who presented it as a "confidential note" to his numerous subscribers.

### White House Denies Role

Inquiries immediately poured into the White House, which denied that it had any part in the affair, and the Pentagon, which for several days declined to discuss the matter, other than to say that the department is not investigating the origin of the memorandum and that Zuckert had not asked for any such report.

Today's blast in the Journal Register stirred up new inquiries to Pentagon officials. At the Air Force, which has consistently declined to state whether the memorandum originated there or was requested from outside, neither Zuckert nor his assistant could be seen on this subject.

Zuckert was reported this afternoon as finding such comfort as the dental clinic provides. Fridge was in his office but "busy" and silent.

### No Inquiry Hinted

The Defense Department's Public Affairs Office remains wary. It apparently is conducting no investigation into the charge that the sanctity of personnel records has been violated.

That these records are normally immune to search even by Government officials is indicated by the Senate Rules Committee, a member of which remarked that the committee itself has been unable to get access to official data of this nature.

There was no such reserve in the observations of Senator Scott or Representative Gross. In a letter to J. Edgar Hoover, director of the FBI, Scott said he assumed that "the alleged leaking, so shocking in its implications, is already being investigated by you." To Robert S. McNamara, Secretary of Defense, Scott wrote:

"I am seriously concerned that such a thing could happen. I am doubly concerned that leaks of internal memoranda can apparently be used to destroy witnesses whose testimony becomes embarrassing. The situation is particularly serious when this information was denied to proper officials of the United States Senate. I would appreciate it if you would investigate this situation at once."

Scott is a member of the Senate Rules Committee.

"There has been what appears to be a conspiracy in the Executive Branch of Government," said Gross's statement. "It becomes clear that high officials of the Johnson Administration put out the order [for] all material that

might discredit Reynolds, without regard to whether it dealt with his testimony before the Rules Committee.

"If the President disapproves of what has taken place... he should have taken immediate action to publicly denounce this despicable act... He should have fired those responsible."

"I do not condone any of Reynolds's misdeeds... The question is whether he told the truth when he testified under oath. I am convinced that he did. If witnesses who testify in behalf of honest government, are to be discredited, smeared and intimidated by officials with approval of high government officials, then justice in this country is in jeopardy."

Gross noted that a principal Justice Department witness against James R. Hoffa is under indictment but that "there is no government attempt by government officials to discredit or intimidate this government witness, and there should be none. The question is whether he tells the truth."